



**November 29, 2012**

1516 Ninth Street  
Hearing Room A – First Floor  
Sacramento, California 95814

**10 a.m.**

(Wheelchair Accessible)

**THE COMMISSION WILL CONSIDER THE FOLLOWING ITEMS:**

1. **CONSENT CALENDAR.** (Items on the Consent Calendar will be taken up and voted on as a group. A commissioner may request that an item be moved and discussed later in the meeting.)
2. **ENERGY COMMISSION COMMITTEE APPOINTMENTS.** Possible approval of appointments to the Energy Commission's Standing Committees and Siting Case Committees. Contact: Kevin Barker. (5 minutes)
3. **BOTTLE ROCK GEOTHERMAL POWER PLANT COMPLAINT (12-CAI-04).**  
Possible appointment of a committee to conduct proceedings and render a decision on a complaint filed under Title 20, California Code of Regulations, section 1237, by David Coleman concerning the Bottle Rock Geothermal Power Plant. The complaint alleges a failure to comply with the conditions of the Commission's 2001 approval of a change of ownership petition (79-AFC-04C). The Bottle Rock Geothermal Power Plant is a geothermal electricity generating facility with a permitted generating capacity of 55 megawatts located in Cobb, California, in the Geysers Known Geothermal Resource Area of Lake County. If a committee is appointed, it — rather than the Commission — would make a decision on the complaint, but that decision would be subject to appeal to the Commission. (Section 1237(e), (f).) Contact: Paul Kramer. (15 minutes)
4. **HUNTINGTON BEACH UNITS 3 AND 4 RETOOL PROJECT (00-AFC-13C).**  
Commission consideration of staff's recommendation to approve the petition to convert Units 3 and 4 to synchronous condensers. Contact: Christine Stora. (20 minutes)
5. **Chief Counsel's Report:** The Energy Commission may adjourn to closed session with its legal counsel [Government Code Section 11126(e)] to discuss any of the following matters to which the Energy Commission is a party:
  - a. *In the Matter of U.S. Department of Energy (High Level Waste Repository),* (Atomic Safety Licensing Board, CAB-04, 63-001-HLW).
  - b. *BNSF Railway Company v. US Department of Interior, California Energy Commission* (U.S. District Court Central District of California-Riverside, CV 10-10057 SVW (PJWx)).
  - c. *Richard Latteri v. Energy Resources, Conservation and Development Commission, et al.* (Sacramento County Superior Court, 34-2011-99985).

- d. *Rick Tyler, et al v. Governor of California, Edmund G. Brown, Jr., et al.* (Alameda County Superior Court, RG12619687).
- e. *California Unions for Reliable Energy v. Energy Resources Conservation and Development Commission, Real Parties in Interest Ormat Nevada, Inc., ORNI 18 LLC, and ORNI 19 LLC* (Alameda County Superior Court, RG 12610669).
- f. *Asphalt Roofing Manufacturers Association v. California Energy Commission* (Sacramento County Superior Court, 34-2012-80001195).
- g. *California Independent System Operator Corporation* (Federal Energy Regulatory Commission, Docket No. ER12-2634).
- h. *In re Town of Mammoth Lakes*, (United States Bankruptcy Court for the Eastern District of California), Case No. 2012-32463).
- i. *Helping Hand Tools, Rob Simpson v. Energy Resources Conservation and Development Commission (San Diego Air Pollution Control District and Pio Pico Energy Center, LLC., Real Parties-In-Interest )* (California Supreme Court, S206047).

The Energy Commission may also discuss any judicial or administrative proceeding that was formally initiated after this agenda was published; or determine whether facts and circumstances exist that warrant the initiation of litigation; or that constitute a significant exposure to litigation against the Commission.

6. **Executive Director's Report.**

7. **Public Adviser's Report.**

8. **Public Comment:** People may speak up to five minutes on any matter concerning the Energy Commission, with the exception of items appearing elsewhere on this agenda or items related to pending adjudicative (certification or enforcement) proceedings.

If you require special accommodations, contact Lourdes Quiroz at 916-654-5146, five days before the meeting.

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Questions about participation in the Business Meeting should be directed to:

Public Adviser's Office - 916-654-4489 or 800-822-6228

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**Adjournment of Hearings and Meetings:** Depending upon time available and the orderly management of proceedings, the Commission may order adjournment (recess or postponement) of any noticed hearing or meeting, to be continued to the next day, another specific date or time, or to the next business meeting, as appropriate. Any such adjournment will be noticed at the time the order of adjournment is made (Government Code §§11128.5, 11129).